

Serial No.: 10/670,044

REMARKS

Claims 1-20 are pending in the application and are subject to an election requirement.

Applicants hereby elect, *with traverse*:

Species 3: Claims 1-20 readable thereon;

Sub-Species A: Claims 1-20 readable thereon; and

Sub-sub-Species α : Claims 1-20 readable thereon.

Applicants consider claims 1-20 generic to the elected species and at least one or more of the non-elected species.

This election is made with traverse as applicants respectfully submit it does not place undue burden on the Examiner to examine whether the inductive interface permits transfer of data, power, or both; comprises a single coil or a double coil; or includes a core of manganese-zinc ferrite or nickel-zinc ferrite.

Further, MPEP §904.03 clearly states:

It is a prerequisite to a speedy and just determination of the issues involved in the examination of an application that a careful and comprehensive search, commensurate with the limitations appearing in the most detailed claims in the case, be made in preparing the first action on the merits so that the second action on the merits can be made final or the application allowed with no further searching other than to update the original search. It is normally not enough that references be selected to meet only the terms of the claims alone, especially if only broad claims are presented; but the search should, insofar as possible, also cover all subject matter which the examiner reasonably anticipates might be incorporated into applicant's amendment. Applicants can facilitate a complete search by including, at the time of filing, claims varying from the broadest to which they believe they are entitled to the most detailed that they would be willing to accept.

In doing a complete search, the examiner should find and cite references that, while not needed for treating the claims, would be useful for forestalling the presentation of claims to other subject matter regarded by applicant as his or her invention, by showing that this other subject matter is old or obvious. (Emphasis Added).

Applicants respectfully submit that requiring the applicants to drill down to the most specific details recited in the claims (e.g., manganese-zinc ferrite vs. nickel-zinc

Serial No.: 10/670,044

ferrite) via an election requirement flies directly in the face of MPEP §904.03.

Applicants can appreciate the need of the USPTO to maintain some type of restraint on the number of inventions which an Examiner may be expected to search in a given application. However, the Examiner in the present application has not provided any evidence or reasons whatsoever as to why a search of the particular species and sub-species would present a hardship beyond what is clearly expected of the Examiner in view of MPEP §904.03. Why bother to allow applicants to submit more than one claim in an application if different claims simply result in restriction or election so as to reduce the scope of the search? Why encourage applicants to facilitate a complete search by including, at the time of filing, claims varying from the broadest to which they believe they are entitled to the most detailed that they would be willing to accept, if the Examiner is simply going to require applicants to restrict or elect out?

Absent any such showing of how claims 1-20 present undue burden on the Examiner even in view of MPEP §904.03, withdrawal of the election requirement is respectfully requested.

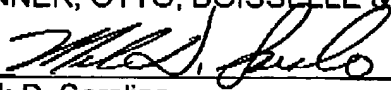
Serial No.: 10/670,044

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP



Mark D. Saralino
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